

SULZER INQUIRY REPORT IS FILED

Radical Changes Urged in the Conduct of the State's Business.

EFFICIENCY IS SOUGHT

Governor Praises Work of the Body and Says Policy Is Wise.

MAY SAVE \$7,000,000 A YEAR

Four Recommendations Which the Governor Considers Very Important.

ALBANY, March 24.—Radical changes in the financial and business conduct and management of State departments, in order that there may be economy and efficiency, are recommended in the report of the Sulzer inquiry committee, which was submitted to the Legislature to-night. With the report the Governor sent a message praising the three members of the committee, John N. Carlisle, John H. Delaney and H. Gordon Lynn, and urging the Legislature to enact into law the reforms suggested by the committee.

"It is high time," said the Governor, "that the State of New York be placed on a business basis in the administration of its affairs." The Governor added:

"The Legislature will approve these recommendations a long step forward in the interest of efficient and economic administration. It will be at once taken and a permanent policy will be established which will reduce to the minimum the expenses of the administration of the State government; and thus the interests of the taxpayers throughout the State will be benefited by the reduction of waste, extravagance and inefficiency.

"The legislation recommended by the committee of inquiry has had my most careful consideration. Its wisdom is abundantly justified by the committee's report. It rests upon good reason. These progressive measures have been carefully prepared. They are in the interest of the people. They define a wise public policy. Their enactment will result in a reduction to the credit of the Legislature that approves them.

"The work of the committee of inquiry has inaugurated a business system for the State. The old method of waste and extravagance, or worse, must be discarded. The people demand an honest and efficient business administration of their affairs. In many instances the waste and extravagance here, with submitted shall find place in the body of the State's law the great Empire State of New York will take the place, which rightly belongs to it, at the head of the sister States, furnishing to its people a wise, honest, efficient and economical administration of government. The people of the State so demand. It is the duty of representatives of the people to enact this demand into law."

Four Important Recommendations.

The Governor believes that if the committee's suggestions are adopted, and many of them will be, the State will save \$7,000,000. In many instances the waste and extravagance here, with submitted shall find place in the body of the State's law the great Empire State of New York will take the place, which rightly belongs to it, at the head of the sister States, furnishing to its people a wise, honest, efficient and economical administration of government. The people of the State so demand. It is the duty of representatives of the people to enact this demand into law."

The committee urges that the Court of Claims be enlarged so that the \$31,000,000 canal damage claims can be adjudicated; it takes a slap at the so-called printing ring; is in favor of the discontinuance of the yearly \$250,000 payment to State fair associations, which is sure to bring a sturdy protest from the farmers; recommends that the State Department of Education be investigated; and that there be no effort at cooperation with the charities and hospital departments reviews the investigation of the Highways Department, and says the appropriation of \$4,873,000 asked for this year should be cut in two; the charities and hospital departments should be combined and there should be a single board of conservation commission.

At the outset the committee says that as its time was limited to sixty days "necessarily we have not been able to follow up in every detail a large number of matters which were brought to our consideration."

State's Financial System.

Dealing with the financial system of the State the report says:

"The business of the State can reasonably be said to be run without any systematic plan whatever. Each department is conducted as an independent enterprise and there is no effort at cooperation, no point or place where the various activities of the State Government concentrate. The Governor appoints heads of departments, generally with the advice and consent of the Senate, and there his real power practically ends; the Legislature creates the departments and after that merely appropriates funds for their support. The Controller is vested with only a limited power of audit, and that power extends to less than one-fourth of the amount expended last year for the support of the State institutions.

The condition therefore ensues that work is duplicated, labor is multiplied and expenditures become greater each succeeding year because there is no way by which the business of government may be considered as a compact whole. To bring about a proper condition of control it seems necessary to establish new agencies of government, endowed with power to examine and supervise the work of all the departments, to compel uniformity in methods of administration and accounting and then to assemble together the results obtained, so that the Legislature and the Governor may have accurate, complete and condensed information to aid them in properly exercising their legislative and executive duties."

As the State's fiscal year begins October 1, this means that estimates are made ten months in advance. The report says:

To Correct Present System.

"Every year conditions arise which could not be foreseen by even the most careful executives, and the system has resulted sometimes in such excessive amounts being appropriated that extravagance is invited and sometimes in such deficiency in appropriation that departments were compelled in violation of law to exceed the expenditure allowed; and the consequence has been annual supply bills and special bills filled with emergency appropriations. To correct this condition we recommend:

"That the fiscal year of the State begin on the first day of July instead of the first day of October, thus bringing the year near the end of the legislative session.

"That general appropriations should be available only for the year for which they are specifically appropriated.

"That all unexpended balances lapse at the end of each year. The conditions under which the funds have been handled in the past are such as to prevent this plan becoming effective until September 30, 1914.

"That it should be unlawful and under no circumstances should a department be empowered or permitted to incur liabilities in excess of an appropriation and the Controller should not be permitted to make any deviation from this rule nor should he be permitted to incur any liability directly or indirectly any violation thereof.

"That the appropriation bill should not permit the word 'maintenance' to be used as is now applied. At present in connection with prisons, hospitals and charities this term covers wages, salaries, supplies, expenses, repairs and in some cases betterments, and the institutions are required to separate into detail all of these items. Otherwise the Legislature has no control whatever over the expenditures for these purposes.

"That supply bills be discontinued. Expenditures for supplies should be taken care of in either a deficiency or a special bill.

"That the form of the appropriation act should be changed so as to show specifically the office, positions for which salaries are provided instead of concealing them in so-called 'grades' as at present.

"Our examinations into the various departments show that as far as the matter of interpretation of the appropriations is concerned each department is a law unto itself; that practically no two departments are handled in the same manner; and that there is an absolute lack of uniformity in treatment, with no present power vested in any one to bring about this necessary reform.

"To bring about control it is necessary to have concentration of power and authority. Without concentration of power and authority efficiency and economy cannot be had; and control cannot be had by a budget committee, a finance committee or any controlling governmental administration of the State of New York shall have been compelled to adopt a uniform system of general accounting."

Unexpended Balances.

The committee urges that all unexpended balances lapse at the end of each year. In the course of the investigation it was discovered that "in nearly every department of the State there were large unexpended balances" because more money had been appropriated than needed. The committee recommends that all such balances lapse at the end of the 1914 fiscal year, giving this illustration of why it should be done:

"For instance, in the Insurance Department there was on September 30, 1912, an unexpended balance of appropriation for office expenses amounting to \$30,000. On October 1, 1913, there became available an additional appropriation of \$25,000. The last Legislature of \$25,000. Thus there was in this fund at the beginning of this fiscal year a total sum of \$55,000.

"The expenditures on account of office expenses during the last year amounted to only \$19,413.71, but this Legislature has asked to appropriate \$25,000 more, the department apparently overlooking the fact that there was already sufficient in this fund to meet the requirements of two years to come."

Art of State Printing.

State printing in 1912 cost \$650,339 and the committee says that the present printing law "appears to have been especially well designed to promote extravagance and waste and to prevent absolutely any effort toward economy."

"The printing board has promulgated such rules as it could to regulate method of ordering and delivering work, but the limitations upon the power of the board prevent any actual control, and the establishment of an official board under such conditions is only a pretense at protecting the taxpayers of the State. The experts employed by your committee are unanimous in their opinion that the large savings could be made if the law permitted proper methods of purchase and regulation."

The committee is strongly in favor of a board of contract and supply, and if the board is not created the present law should be so changed as to make it possible for departments to purchase printing at the lowest prices obtainable. There is opposition to this measure in the Legislature. The committee thinks \$20,000 a year could be saved in stationery if there was a central purchasing agency for supplies.

The present judicial system of handling canal claims, the report says, is inadequate to dispose of them quickly and promptly. The Court of Claims should be increased by three members, and Judges of the Court of Appeals who have retired because of age limit should be designated by the Attorney General to hear such claims.

Some Appropriations Should Be Cut.

The committee compares the appropriations made to departments in 1912 with the amount asked for this year. The collection of the motor vehicle tax should be taken from the Secretary of State and turned over to the reorganized Highways Department. The highways inspectors could be made to enforce the motor license law. Thus the Secretary of State appropriation could be cut \$42,200.

Because of the additional duty of examining the accounts of town and village officials the Comptroller should have an increase of \$170,000. The Attorney General's appropriation should be cut \$25,474. The Excise Department should get \$89,650 less than in 1912.

The Public Service Commission, First Department, asked for \$1,500,000 and the up-State Commission \$2,000,000 for the elimination of grade crossings. The committee holds that the grade crossing law should be revised and rewritten. The railroads at their own expense should be required to remove so many grade crossings each year, as has been done in other States. The State should have uniformity in regard to its method of getting rid of grade crossings, and each Public Service Commission should get only \$300,000 this year.

Health Officer O'Connell of the Port of New York asked for \$2,000,000 for new buildings on Swinburne and Hoffman Islands, but the committee does not believe that any money should be expended this year by the State for new buildings. It also thinks that Dr. O'Connell should run his department on \$46,000 less than last year. His fees for fumigation and inspection of incoming vessels should be increased.

As there was a large amount of unexpended balances in the office of the Superintendent of Elections in 1912 appropriation should be cut \$55,000. On the election law the committee says:

"While we believe firmly that all provisions and requirements of the election law ought to be uniform throughout the State we hold that it is better public policy to repeal the election restrictions placed upon the voters of the city of New York than to extend these restrictions to other voters."

The State Athletic Commission spent \$10,000 last year, although the law says the expense of administration shall not exceed \$5,000, which is all the commission can have this year, the report says.

Department of Education.

Taking up the Department of Education the report calls attention to a special bill introduced at the request of the department providing for \$700,000 for the purchase of books for the State library. As a large part of the sum appropriated last year has not been expended and a considerable number of the books purchased are stored in the basement of the new education building, the committee thinks \$100,000 is enough. Although it only had a few days to inspect the new educational building and to examine the workings of the department, the committee says:

"As a result of such examination as we have made we are of the opinion that a thorough investigation should be made to determine the value of several expensive features of the work, generally established by special acts of the Legislature, and the propriety of such work being borne by the State; and also to ascertain if it is not possible to utilize the information stored in some of the technical divisions for the benefit of other departments."

The committee believes that the Commissioner of Agriculture should have power to kill cattle afflicted with tuberculosis and the State should not pay a penalty, as its obligation is to protect humanity. Since horse racing stopped the State has asked to pay for associations \$250,000 out of its treasury. The report says the payment should be discontinued, as the Constitution forbids the payment of money to private enterprises.

The State Prisons.

Sing Sing prison is antiquated and unsanitary. The Wingdale prison site should not be abandoned by the State until a further investigation is made by the Legislature. A modern prison should be constructed at once.

The attention of the committee was called to a proposed prison farm for women at Valatie, which will cost about \$3,000,000. The committee urges an investigation as to the advisability of constructing buildings on the farm. "There are no buildings in which inmates can be housed," the report says, "but there is a warden and some employees and the warden's house is completed." The Legislature has been asked to appropriate \$30,000 for "maintenance and repairs" and the committee thinks the warden should be fired and the property put in charge of a caretaker.

Prisoners Should Be Made to Work.

The committee recommends that prisoners be made to work in order that the institution may become self-sustaining. It says:

"The State hospitals for the insane last year paid out for butter alone approximately the sum of \$400,000 and the dairy products used in the hospitals, charitable institutions and prisons undoubtedly amount to more than \$1,000,000 a year.

"If dairy products could be produced upon the State farms with one laborer there ought to be an enormous saving made in these articles and the inmates who would be employed in doing this class of work would be greatly benefited if employed out of doors."

"At present the earnings of the prisoners are carried in an account known as 'the prison capital fund' and from time to time the surplus of these earnings is paid into the general funds of the State. We are of the opinion that these earnings should be applied toward the cost of maintenance and that legislation should be passed permitting the use of this purpose under proper restrictions."

"We desire also to call particular attention to another fund known as 'the convict's miscellaneous and miscellaneous fund.' In this fund is deposited the money which convicts have when they enter the prisons and there are credited their earnings during the time they are in prison. At present these funds, so far as we can learn, are subject to no audit whatever."

The State has been asked to appropriate about \$17,000,000 for its hospitals and charities, and the committee says the State has practically no control over the expenditure of this money. The State should direct the policy of the institutions and how the money should be expended. There should be one head. The State should build at once one or two large institutions for the care of the insane. The committee opposes the plan of using the Creedmoor rifle range as a site for an asylum.

The committee says that its investigation of the Highway Department, details of which have been made public, was for the purpose of dealing with financial and administrative problems rather than seeking to discover specific instances of wrongdoing. It is possible that there are specific instances of wrongdoing, and the suggestion of the committee that a thorough inquiry be made has been adopted by Gov. Sulzer.

Propose Law to Fit the Thaw Case.

No mention is made of the Thaw inquiry or the suspension of the committee's secretary, William F. Clark, probably because a special report has been made on the subject. Clark was suspended because he suggested an act to amend the Code of Criminal Procedure in relation to the defense of insanity which is even more drastic than the bill defeated in the Assembly last week. It follows:

"To provide that in cases where the defense of insanity is successfully interposed a final judgment shall be entered upon the verdict rendered pursuant to the requirements of the section, and further requiring that the court must, if the defendant be in custody and it deems his discharge dangerous to the public peace or safety, commit him to the State Lunatic Asylum by an adjudication and order which shall be incorporated in the judgment to be entered upon the verdict, and making such judgment final and conclusive and not subject to review except by direct appeal."

"This proposed legislation is intended to make the verdict of the jury acquitting a defendant on the ground of insanity and his commitment under such verdict, in case he shall be committed, a final judgment which shall prevent any attempt by writ of habeas corpus, or otherwise, to review that determination, except as it may be reviewed upon a direct appeal from the judgment. It is our opinion that this legislation will establish the status of an insane person acquitted because of insanity and committed to the lunatic asylum because his liberation would be dangerous to the public peace or safety, and that the transparently inconsistent position of such a defendant that he was not insane when committed may not be made the subject of review by numerous habeas corpus proceedings after his commitment."

The committee includes in its report the special report it made on the canal sinking fund. In instances where bills are not before the Legislature they will be prepared and introduced to cover the committee's recommendations.

TEXAS DISABLED AT SEA.

Her 47 Passengers Taken On and Due Here on Thursday.

The Swedish steamship Texas, formerly a Norwegian freighter, but converted last year into a passenger carrier and equipped with wireless, is in mid-ocean with her propeller gone. Her forty-seven passengers, from Gothenburg and Stavanger, were transferred on Saturday 1,820 miles east of Sandy Hook to the Scandinavian-American steamship C. F. Tietgen and are on their way to New York.

The Tietgen heard on Friday night by wireless of the plight of the Texas. The disabled ship was then riding out a gale at a sea anchor. Other steamships also caught the call for assistance, including the liner California, which arrived yesterday at Glasgow. The California was heading for the disabled ship when the Tietgen said by wireless that she would attend to the Texas.

The Texas is owned by the Norway, Mexico and Gulf Line. She was bound ultimately for Gulf ports by way of Newport News. She is a steel single screw and was built three years ago.

VICTIMS OF QUACKS

WIRE DR. FRIEDMANN

In Western Cities His Tuberculosis Treatment Has Been Imitated.

FAKERS USE HIS NAME

Berlin Specialist Says Flatly No One Else in U. S. Can Prepare His Remedy.

Letters and telegrams from Erie, Cleveland, Detroit and Denver have asked Dr. F. Friedmann, the Berlin specialist about doctors who say they have been commissioned to use his tuberculosis culture. Dr. Friedmann has replied to these inquiries with the statement that he is the only one in this country who can prepare and administer his remedy.

These quacks have been very active in Denver, it is said. They have alleged that the culture has been sent them by Dr. Friedmann and in many cases have given preliminary treatments. Dr. Friedmann made it clear, as he has often before, that as yet he has entrusted no one here with the secret of the preparation, though he has given the preliminary culture to the Government. The Berlin doctor said he would not be responsible for results and that he had sent warnings to that effect to those who had written or wired him.

This day yesterday was devoted to the examination of the patients he has treated in the last week or so and to preliminary investigation of cases which he will treat this week at the Hospital for Deformities and Joint Diseases in Madison avenue. With Dr. Sturm he visited the hospital in the afternoon and selected fifteen children and adults. He will go there today and to-morrow and pick out more for his clinic.

Patients whom he treated last week were brought before him for examination. He would say nothing of their condition afterward, but he was evidently pleased with their progress. Dr. Henry W. Frauenthal, the physician and surgeon in chief of the hospital, said in his opinion the patients had been benefited by the injection of the Friedmann culture. He was not able to say how great was their improvement.

Announcement was made yesterday that at the deformities clinic, probably to be held on Thursday, the same doctors who were present at the clinic last week will be invited to attend that they may see with their own eyes whatever changes have taken place in the patients treated a week ago. Dr. Stimson of the Public Health Service will be there.

Dr. Friedmann also visited Mount Sinai Hospital and the Montefiore Home to look over his patients.

This statement was given out last night relative to Dr. Herman C. Frauenthal's statement that the initial improvement of the Friedmann patients was due to auto-hypnosis, or to hypnotic anesthesia.

"E. M. Gattie, president, and Dr. Henry W. Frauenthal, physician and surgeon in chief of the Hospital for Deformities and Joint Diseases, do not pass on any remarks made in any papers. And if Dr. Friedmann can help our crippled ones we are only too glad to give him a chance."

SULFONAL KILLED HARVARD MAN

Hallowell's Father Knew of No Reason for a Suicide.

CAMBRIDGE, Mass., March 24.—William Penrose Hallowell, a Harvard sophomore found dead in bed in his Hampden Hall room yesterday, died from sulfonal poisoning, according to the coroner's jury. At first it was believed an overdose of sleeping pills was the cause. The body was shipped to his home to-day.

Hallowell, a coal merchant of Minneapolis, in a telegram sent to his father, who knew of no reason why his son would kill himself.

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SULZER IS ADVISED TO IGNORE MURPHY

Independent Democrats Tell Him to Cut Away From State Organization.

HE MINIMIZES CONFAB

Legislative Leaders Are Anxious About Appointments and Recognition.

ALBANY, March 24.—When the legislative leaders arrived here to-night they were keenly interested in the particulars of the conference with Independent Democrats which Gov. Sulzer held last night.

They were anxious to find out what line of campaign the Governor had mapped with regard to appointments to important State offices and the recognition of Democratic leaders.

Gov. Sulzer attempted to minimize the importance of the gathering. It was a pleasant social affair, he said.

Henry Morgenthau, who was chairman of the finance committee of the National Democratic Committee in the last campaign, was an Easter guest. Others dropped in, notably Thomas Mott Osborne and his political aide, Charles F. Rattigan, both of Auburn; John N. Carlisle of Jefferson county, chairman of the Sulzer inquiry committee; George Foster Peabody of Saratoga, Col. William Gorham Rice of Albany and John A. Hennessy, Mrs. Sulzer asked these anti-Murphy Democrats to have tea, and then they went home.

Other visitors last evening were Samuel Beardsley from Syracuse, leader in Onondaga county; George E. Van Kannon of St. Lawrence, chairman of the conservation committee; Judge John B. Riley of Clinton county, nominated by Gov. Sulzer for Superintendent of Prisons, and Duncan W. Peck, Superintendent of Public Works, now an ardent Sulzer man. In fact there were about sixteen Independent Democrats at the conference.

More details became known to-day of objections to the plan of Gov. Sulzer to nominate Mr. Carlisle and George M. Palmer, chairman of the Democratic State committee, for members of the up-State Public Service Commission.

Almost unanimous objection was made to the appointment of Mr. Palmer, but the Governor would not be convinced that he was not doing the right thing. He was told that the nomination of Mr. Palmer would cause a split between the Governor and Charles F. Murphy, that under no circumstances should the Governor make any appointment over which there could be the slightest suspicion that Mr. Murphy had anything to say.

In substance the advice given to the Governor was that he should ignore Leo Murphy and the State organization entirely, cut away from both absolutely.

The conference did not agree on John K. Sague of Poughkeepsie for the head of the Highways Department, although he got seven votes, the rest being scattered for other candidates. Of about fifty candidates, only two in addition to Mr. Sague got serious consideration. They were Richard U. Sherman of Utica, brother of the late Vice-President, and Palmer C. Ricketts of Troy, head of the Rensselaer Polytechnic Institute.

It was not decided whether the Governor will make no more nominations until the Senate has acted on the confirmation of Judge Riley as Superintendent of Prisons. The Governor intends to hold the naming of two Supreme Court Justices for New York county, to the last.

It has been proposed to the Governor that he sell an extra session of the Legislature if a direct primary law is not passed. The Governor does not believe he can get a direct primary law through at this session, and he is not anxious for an extra session.

QUAKERS TO SPEAK FOR BILL.

Favor Measure Preventing Use of "Quakers" Brand on Goods.

ALBANY, March 24.—A big delegation of Quakers expected in Albany to-morrow to appear before the Assembly Judiciary Committee in favor of the passage of the Goldberg bill, which would prohibit the use of the name of a religious denomination for trade purposes or in advertisements. The measure was introduced at the request of the Society of Friends of New York city.

The principal opposition to the measure comes from a company which uses the name Quaker on one of its products. Other firms having goods of the Quaker brand will fight the bill.

SAYS FIREMEN "DROP OFF" TO PLAY POOL

Erie Man Declares There Is So Little to Do Under the "Two Man" System.

MORE PAY, LESS WORK NOW

Labor Conditions Easier Than in 1902, Witnesses Tell Arbitration Board.

The status of the Toledo, St. Louis and Western Railroad, known as the Clover Leaf Line, in the arbitration proceedings in the case of the firemen's demands, from which more than a week ago the road desired to withdraw, came up again at yesterday's hearing in the Waldorf when a telegram was read by W. B. Carter, president of the firemen's union, which he said he had received from the general chairman of the firemen's committee at Delphos, Ohio. The telegram read:

"I have been informed by our superintendent that the present management claims that they had not authorized the conference committee of managers to represent the Toledo, St. Louis and Western Railroad, and now claim they will handle working conditions and rate of pay directly between them and their employees."

"As I understand it," said Elihu Lee, chairman of the managers committee, "the conference committee of managers, standing with the Toledo, St. Louis and Western Railroad was clear and distinct. When we came to the point where we think we can go no further in this matter we will notify the board."

"Do you mean," said Judge Chambers, chairman of the board, "going as far as you can in having this road come into the agreement or staying in it?"

Mr. Lee said he meant "staying in it," and Judge Chambers remarked: "We will attend to their staying in, if ever they have been in."

Judge Chambers was asked if the management of the road understood that it would be in contempt if it withdrew. "It ought to be so understood," he replied.

Several witnesses were examined on behalf of the railroad to show that the firemen work no harder than they did in 1902, while now they are paid better. A Seiders, road foreman of engines on the Pennsylvania and Reading, said it was harder to fire the 145,000 pound engines on his road than those weighing 205,000 pounds. In explanation he said that the larger engines are fed with anthracite and the smaller ones with soft coal and the firebox does not need replenishing with anthracite as often as when soft coal is burned. He said there was more sickness among the engine drivers on his road than among the firemen. Asked to explain, he said:

"The firemen, 'Pennsylvania Dutchmen,' husky fellows, who don't can't get sick."

G. E. McBain, a superintendent on the Lake Shore and Michigan Southern road, who had been fireman, engineer and road foreman, said that a fireman works no harder now, if as hard, than in 1902. J. P. Freeman of the Lake Shore and Michigan Southern gave similar testimony.

W. C. Hayes, superintendent of locomotive operations for the Erie, said that while firemen's wages had been increased, their work was not so hard. "The men were never overworked," he said. "When two men are on one of them frequently drops off to play pool."

S. A. Pickford, road foreman of the electrified zone of the Erie, Central, said that a fireman on an electric locomotive did not have as much work as a fireman on a steam locomotive. The hearing goes on to-day.

THINK WHARTON KILLED ALL

Shot Wife and Hemphill, Then Himself, Before House Burned.

WILLIAMSTOWN, N. J., March 24.—Autopsies to-day cleared up some of the mystery about the death of Leo Wharton, his wife, his little daughter and John Hemphill, whose bodies were found early yesterday in the ashes of the burned Wharton farmhouse. Wharton was responsible for the tragedy, according to Coroner Stults and the police.

Hemphill was shot through the heart. Mrs. Wharton was riddled with bullets in the neck and shoulders. The top of Wharton's skull was blown off. The police and the Coroner think Wharton shot Hemphill, his wife and himself during a fit of jealousy. It is believed the lamp exploded and set fire to the place while Wharton, his wife and Hemphill were lying on the floor unconscious with bullet wounds. The child was asleep on the floor above.

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